



# Dispute Resolution Services

Page: 1

Residential Tenancy Branch  
Office of Housing and Construction Standards

## **DECISION**

Dispute Codes      DRI, FF

### Introduction

This is an application brought by the tenant, disputing an additional rent increase.

Some documentary evidence and written arguments has been submitted prior to the hearing. I have thoroughly reviewed all relevant submissions.

I also gave the parties the opportunity to give their evidence orally and the parties were given the opportunity to ask questions of the other parties.

The parties were affirmed.

### Issue(s) to be Decided

The issue is whether or not the rent increase served on the tenant is within amount allowed under the Manufactured Home Park Tenancy Act.

### Background and Evidence

On April 12, 2016 the landlord served the tenant with the Notice of Standard Rent Increase for a Manufactured Home Site. On that notice of rent increase the landlord stated that the rent would increase by \$25.00, from the current rent of \$225.00 to \$250.00 effective July 1, 2016.

The applicant is requesting an Order reducing the rent increase to the allowable amount under the Manufactured Home Park Tenancy Act, and is also requesting that the effective date be changed to the earliest date allowed under the Manufactured Home Park Tenancy Act.

### Analysis

If a landlord uses the Notice of Standard Rent Increase Manufactured Home Site form the allowable increase is equal to 2% plus inflation and the formula for 2016 with inflation works out to 2.9%. Therefore the amount of rent increase allowed on \$225.00 is \$6.53 bringing the total rent to \$231.53.

Further, when the landlord gives a notice of rent increase the landlord must give three clear months' notice and therefore since this notice was given mid-April of 2016 the three clear months are May 2016, June 2016, and July 2016. The rent increase therefore would not take effect until August 1, 2016.

### Conclusion

I hereby Order, pursuant to section 36 of the Manufactured Home Park Tenancy Act, that the rent increase for this manufactured home site can only be increased by \$6.53 and that increase takes effect on August 1, 2016.

I further Order, pursuant to section 65 of the Manufactured Home Park Tenancy Act, that the landlord bear the \$100.00 cost of the filing fee paid by the tenant for today's hearing, and therefore the tenant may make a one-time deduction of \$100.00 from future rent payable to the landlord.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Manufactured Home Park Tenancy Act*.

Dated: July 06, 2016

---

Residential Tenancy Branch